

RECEIVED
CENTRAL FAX CENTER

DEC 27 2004

PATENT

Applicant:	Michael C. Cress
Serial No.:	09/424,940
Filed:	03/07/2000
Title:	Immunoassay for the Detection of Cancer
Examiner:	Gary B. Nickol, Ph.D.
Group Art Unit:	1642
Atty Docket No.	48341-00012 (formerly 212662-11)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF FACSIMILE TRANSMISSION

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that the following paper is being facsimile transmitted to the U.S. Patent and Trademark Office facsimile number (571) 273-8300 on the date shown below.

1. Request for Continued Examination (RCE) (1 pg);
2. Fee Transmittal (1 pg);
3. Petition for Extension of Time (1 pg); and
4. Amendment & Remarks (6 pgs).

The Commissioner is hereby authorized to charge \$610 or credit any amount due to Account No. 50-3207.

Date: 12/27/04


Michelle S. Glasky, Reg. No. 54,124

PRESTON GATES ELLIS LLP
1900 Main Street, Suite 600
Irvine, California 92614-7319
Telephone: (949) 253-0900
Facsimile: (949) 253-0902

Customer No. 45,200

PTO/SB/17 (11-04)

Approved for use through 07/31/2006. OMB 0851-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 10/01/2004. Patent fees are subject to annual revision.

**FEE TRANSMITTAL
For FY 2005**☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 610.00

Complete if Known

Application Number	09/424,940
Filing Date	03/07/2000
First Named Inventor	Michael C. Cress
Examiner Name	Gary B. Nickol, Ph.D.
Art Unit	1642
Attorney Docket No.	48341-00012 (formerly 212662-1)

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order☒ Deposit Account ☐ NoneDeposit Account Number
50-3207Deposit Account Name
Preston Gates Ellis LLP

The Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments

to the above-identified deposit account.

☐ Other (please identify):

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING FEE**

Fee Description	Fee (\$)	Small Entity Fee (\$)	Fee Paid (\$)
Utility Filing Fee	790	395	
Design Filing Fee	350	175	
Plant Filing Fee	550	275	
Reissue Filing Fee	790	395	
Provisional Filing Fee	160	80	

Subtotal (1) \$

FEE CALCULATION (continued)

2. EXTRA CLAIM FEES	Fee (\$)	Small Entity Fee (\$)
Each claim over 20	18	9
Each independent claim over 3	88	44
Multiple dependent claims	300	150
For Reissues, each claim over 20 and more than in the original patent	18	9
For Reissues, each independent claim more than in the original patent	88	44

Total Claims Extra Claims Fee (\$)

HP = highest number of total claims paid for, if greater than 20

Indep. Claims Extra Claims Fee (\$)

HP = highest number of independent claims paid for, if greater than 3

Multiple Dependent Claims Fee (\$)

Subtotal (2) \$

3. OTHER FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)	Fee Paid (\$)
1-month extension of time	110	55	
2-month extension of time	430	215	\$215.00
3-month extension of time	980	490	
4-month extension of time	1,530	765	
5-month extension of time	2,080	1,040	
Information disclosure stmt. fee	180	180	
37 CFR 1.17(q) processing fee	50	50	
Non-English specification	130	130	
Notice of Appeal	340	170	
Filing a brief in support of appeal	340	170	
Request for oral hearing	300	150	
Other: RCE			\$395.00

Subtotal (3) \$ 610.00

SUBMITTED BY

Signature

Michelle S. Glasky

Registration No.
(Attorney/Agent)

54,124

Telephone 949-253-0900

Name (Print/Type)

Michelle S. Glasky, Ph.D.

Date 12/27/04

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER

DEC 27 2004

CERTIFICATE OF FACSIMILE

I hereby certify that on 12/27/04, this paper (along with any paper referred to as being attached or enclosed) is being transmitted to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Maria Nadal
Maria Nadal

PATENT

Applicant: **Cress et al.**

Serial No.: 09/424,940

Filed: 03/07/2000

Title: IMMUNOASSAY FOR THE
DETECTION OF CANCER

Examiner: Gary B. Nickol, Ph.D.

Group Art Unit: 1642

Atty Docket No.: 48341-00012 (formerly
212662-11)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND REMARKS

Dear Sir:

The Applicant submits the following Amendment and Remarks in Response to the Final Office Action dated July 28, 2004 in the above referenced patent application.

Amendments to the Claims are reflected in the listing of claims found on page 2 of this paper.

Remarks/Arguments begin on page 3 of this paper.